

Attorney Docket No. 9391-2

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Helmut Heide et al.
Application No.: 10/085,526
Filed: February 26, 2002
For: Resorbable Bone Replacement and Bone Formation Material

Confirmation No.: 1405
Group Art Unit: 1755
Examiner: Karl E. Group

Date: September 2, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 C.F.R. §1.97(c)

Sir:

Attached is a list of documents on form PTO-1449. Copies of certain documents, identified as documents AD-AF are not being furnished since they were submitted with the original form PTO 1449 (and we have used the same reference numbers on the instant form PTO 1449). Regarding a concise statement for document AN, this document is in French and is believed to be directed to the filling of bone defects with tricalcium phosphate beta in traumatology and is believed to relate to the use of BIOSORB beta-tricalcium phosphate ceramic (allegedly 45% porosity - 250-400 µm pore size) per a 510(k) Premarket Notification K021963. A copy of the sheet of the referenced Premarket Notification that identifies this article is attached to reference AN.

This Information Disclosure Statement is submitted in accordance with 37 C.F.R. § 1.97(c), before final Office Action or Allowance, whichever is earlier. In accordance with the requirements of 37 C.F.R. § 1.97(c)(2), the Commissioner is authorized to charge the \$180.00 fee specified in 37 C.F.R. § 1.17(p) to Deposit Account No. 50-0220. This amount is believed to be correct. However, the Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 2, 2004


Rosa Lee Simpson

Substitute form 1449A/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Application Number	10/085,526
		Filing Date	February 26, 2002
		First Named Inventor	Helmut Heide et al.
		Group Art Unit	1755
		Examiner Name	Karl E. Group
Sheet	A	of	A
		Attorney Docket Number	9391-2

U.S. PATENTS AND PATENT PUBLICATIONS				
Examiner Initials*	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document
		Number	Kind Code (if known)	

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No.	Foreign Patent Document			Date of Publication of Cited Document MM-DD-YYYY
		Office	Number	Kind Code (if known)	

OTHER NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published		
	AD	DeGroot et al., <i>Die klinische anwendbarkeit von Calciumphosphat-Keramiken</i> , Zahnärztliche Mitteilungen Heft 18/85, 75. Jahrgang (1985, pages 1938-1940		
	AE	Roempp Chemie-Lexikon ed. 7 (1975, Franckhsche Verlagsbuchhaltung Stuttgart		
	AF	Koster, K. Heide H. König R., <i>Histologische Untersuchungen an der Grenzfläche zwischen Knochengewebe und Calciumphosphat-, Calciumaluminat- und Aluminiumoxidkeramik</i> , Z. Orthop. 115 (1977), pages 693-699		
		Peters, Dr. Fabian, Curasan Concise Statement of articles AD, AE and AF		
	AG	Erbe et al., <i>Comparison of Vitoss and Pro Osteon 500R in a Canine Model at 1 Year</i> , 47 th Annual Meeting, Orthopaedic Research Society (February 25-28, 2001), p. 0975		
	AH	510(k) Summary Vitoss TM Scaffold Synthetic Cancellous Bone Void Filler, Summary of S&E, Vitoss Scaffold, Orthovita, Inc. (December 14, 2000) pages H1-H3		
	AI	Letter from Dept. of Health & Human Services re: Vitoss TM Scaffold Synthetic Cancellous Bone Void Filler (December 14, 2000), 2 pages		
	AJ	Indications for Use Statement, Vitoss TM Scaffold Synthetic Cancellous Bone Void Filler, Vitoss Scaffold 510(k) Notification (December 7, 2000) 1 page		
	AK	510(k) Summary (November 26, 2002) 2 pages		
	AL	Letter from Dept. of Health & Human Services re: Synthes chronOS Tricalcium Phosphate and Synthes Perfusion Syringe (November 26, 2002), 2 pages		
	AM	Galois et al., <i>Use of β-tricalcium phosphate in foot and ankle surgery: a report of 20 cases</i> , Blackwell Science Ltd., Foot and Ankle Surgery December 2001 7:217-227		
	AN	Filling of Bone Defects with Tricalcium Phosphate Beta in Traumatology, In Ann Chir 2000 December; 125(10):972-81 (concise statement)		

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.